

**CHAPTER 69-06-06**  
**WAIVER OF PROCEDURES AND TIME SCHEDULES**

Section

69-06-06-01                      Application

69-06-06-02                      Order

**69-06-06-01. Application.** An application must be in the form prescribed by the commission.

1. **Filing.** The applicant shall file an original and ten copies of an application with the commission.
2. **Contents.** The application must contain:
  - a. A description of the type of facility addressed in the application, including the purpose and the technology to be employed.
  - b. A description of the products to be produced or transmitted by the proposed facility.
  - c. The capacity and design of the proposed facility.
  - d. The location of the proposed facility and a map showing the location of the proposed facility.
  - e. A description of the general area to be served by the facility.
  - f. The anticipated time schedule for major events.
  - g. Any plans for future expansion of the proposed facility.
  - h. The need for the proposed facility based on the present and projected demand for the product or products to be produced by the proposed facility, including the most recent system studies supporting the analysis of the need.
  - i. Any reasonable alternative methods of serving the need.
  - j. Justification for any deviations from the applicant's most recent ten-year plan that the proposed facility may present.
  - k. The estimated total cost of construction of the facility.
  - l. Any specific provisions of law that the applicant requests the commission waive or modify, with a separate justification for each provision.

- m. The factual basis demonstrating that the proposed facility is of such length, design, location, or purpose that it will produce minimal adverse effects.
- n. The nature of the emergency justifying immediate authority, if the application is based on an emergency situation.

**History:** Amended effective April 1, 2013.

**General Authority:** NDCC 49-22-18

**Law Implemented:** NDCC 49-22-07.2

**69-06-06-02. Order.** An order approving or denying all or part of a request must contain findings supporting the decision and must specifically describe the procedures and time schedules that are waived.

**History:** Amended effective April 1, 2013.

**General Authority:** NDCC 49-22-18

**Law Implemented:** NDCC 49-22-07.2